

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

TOM FORSTIK,

Plaintiff,

v.

NAVIENT SOLUTIONS, INC.
A/K/A SALLIE MAE, INC.,

Defendant.

: Civil Action No. 14-3460 (FLW)(DEA)
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ORDER

THIS MATTER having been opened to the Court by Ryan L. DiClemente, Esq., and Lisa M. Simonetti, Esq., on behalf of Defendant Navient Solutions, Inc. a/k/a Sallie Mae, Inc. (“Defendant”), on a Motion seeking either (1) a stay based on the United States Supreme Court having granted a writ of certiorari in *Robins v. Spokeo, Inc.*, 742 F.3d 409 (9th Cir. 2014), *cert. granted*, __ U.S. __, 135 S. Ct. 1892 (2015), in which the Court is addressing a standing issue that is central to this matter; or (2) in the alternative, summary judgment; it appearing that Plaintiff Tom Forstik (“Plaintiff”), through his counsel, Ross H. Schmierer, Esq.; Abbas Kazerounian, Esq.; Todd M. Friedman, Esq.; and Joshua B. Swigart, Esq., opposed Defendant’s motion and cross-moved for summary judgment; the Court having considered the parties’ written submissions in connection with the motion, and having addressed the matter with counsel for both parties in a conference call on October 29, 2015, for the reasons set forth herein, and for good cause shown,

IT IS on this 29th day of October, 2015,

ORDERED that Defendant's motion to stay or, in the alternative, for summary judgment [Dkt. No. 30] is granted in part and denied in part, and

IT IS FURTHER ORDERED that Defendant's motion to stay [Dkt. No. 30] is granted and this matter is stayed until the United States Supreme Court issues its decision in *Robins v. Spokeo, Inc.*, 742 F.3d 409 (9th Cir. 2014), *cert. granted*, __ U.S. __, 135 S. Ct. 1892 (2015), and

IT IS FURTHER ORDERED that Defendant's motion for summary judgment [Dkt. No. 30] is dismissed without prejudice as moot, and

IT IS FURTHER ORDERED that Plaintiff's motion for summary judgment [Dkt. No. 32] is dismissed without prejudice as moot, and

IT IS FURTHER ORDERED that this matter is administratively terminated, and

IT IS FURTHER ORDERED that the parties may request to reopen this case following issuance of the United States Supreme Court's decision in *Robins v. Spokeo, Inc.*, 742 F.3d 409 (9th Cir. 2014), *cert. granted*, __ U.S. __, 135 S. Ct. 1892 (2015).

/s/ Freda L. Wolfson
The Honorable Freda L. Wolfson
United States District Judge